

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiff,

—against—

CITIBANK, N.A.,

Defendant.

24 Civ. 0659 (JPO)

DECLARATION OF CHARLES MICHAEL

1. I am a partner with Steptoe LLP, counsel for Defendant Citibank, N.A. (“Citibank”). I submit this declaration in support of Citibank’s motion to dismiss.

2. Attached are true copies of the following exhibits.

Ex.	Document
A	National Commission on Electronic Transfers, <i>EFT in the United States, Policy Recommendation and the Public Interest</i> (Oct. 28, 1977)
B	Consumer Protection Aspects of EFT Systems, Hearings on S. 3546, S. 2470, 95th Cong. (1978) (excerpts)
C	The Consumer Credit Protection Act Amendments of 1977, Hearings on H.R. 8753, Part 3, 95th Cong. (1977) (excerpts)
D	The Consumer Credit Protection Act Amendments of 1977, Hearings on H.R. 8753, Part 1, 95th Cong. (1977) (excerpts)
E	New Jersey Law Revision Commission, <i>Report and Recommendation Concerning Uniform Commercial Code Article 4A</i> (Oct. 1990)
F	Protecting Consumers From Payment Scams Act, 117th Congress, 2d Session
G	Hybrid Hearing before the Task Force on Financial Technology of the Committee on Financial Services, 117th Cong. (April 28, 2022)
H	Senate Webpage for Hearing “Examining Scams and Fraud in the Banking System and Their Impact on Consumers,” Feb. 1, 2024 (printed from https://www.banking.senate.gov/hearings/examining-scams-and-fraud-in-the-banking-system-and-their-impact-on-consumers)
I	Testimony of Carla Sanchez-Adams, before the U.S. Senate Committee on Banking, Housing, and Urban Affairs (Feb. 1, 2024)

Ex.	Document
J	Mary Norkol and Stephanie Zimmermann, <i>Federal law protects you from many financial scams but not this one — and scam artists have figured that out</i> , Chicago Sun-Times, Aug. 25, 2023
K	Citibank Client Manual, Consumer Accounts, Effective Sept. 7, 2023
L	Citibank Consumer Deposit Account Agreement, Effective Aug. 19, 2023
M	Citibank, Online Terms & Conditions
N	Bank of America, Online Banking Service Agreement
O	J.P. Morgan Chase, Digital Service Agreement
P	Wells Fargo, Online Access Agreement
Q	<i>In re Investigation by Letita James, Attorney General of the State of New York, of Heidell, Pittoni, Murphy & Bach LLP</i> , Assurance of Discontinuance No. 23-011 (Mar. 3, 2023)
R	<i>Investigation by Letitia James, Attorney General of the State of New York, of HealthPlex, Inc.</i> , Assurance of Discontinuance No. 23-063 (Dec. 8, 2023)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 2, 2024

/s/ Charles Michael
Charles Michael